

# Public Notice

**Applicant:**

Barnes Nursery Inc.

**Date:**

Published: May 11, 2001

Expires: June 11, 2001

**U.S. Army Corps  
of Engineers**

**In Reply Refer To:**

**Buffalo District CELRB-CO-R RE: 2000-02170(1) Section: OH 10 and 404**

Application for Permit under Authority of  
Section 10 of the Rivers and Harbors Act of 1899 and  
Section 404 of the Clean Water Act (33 U.S.C. 1344).

Mr. Robert W. Barnes, President of Barnes Nursery, Incorporated, 3511 Cleveland Road West, Huron, Ohio 44839, has applied for Department of the Army authorization to dredge and discharge approximately 14,100 cubic yards of material affecting approximately two acres of mudflats (a special aquatic site) in association with a project constructed in waters of the United States. Mr. Barnes is requesting this authorization after-the-fact in order to maintain the project he constructed during July 2000, and also is proposing new modifications

The stated project purpose is to: restore the former hydrologic circulation to a portion of East Sandusky Bay, and provide irrigation water for operation of Mr. Barnes' nursery; establish new avifauna habitat on a series of islands; provide deep water fish and aquatic vegetation habitat; and promote the conversion of approximately five acres of barren mudflats to coastal wetlands. The applicant states these measures are necessary as a result of sedimentation and degradation to the area caused by human activities over the past century.

Initial construction ceased on July 21, 2000. At that time, the project consisted of the following:

- 1) A channel approximately 1,500 feet long, 50 feet wide, and 5 feet deep. The channel was constructed using dredging techniques.
- 2) An earthen berm approximately 1,500 feet long, 55 feet wide, and averaging 6 feet in height. The berm was constructed by sidecasting the dredged material, and runs parallel with the channel.

The applicant has requested authorization to maintain the constructed portion of his project with the following proposed modifications:

- 1) Restore approximately 200 feet of the channel to former topography where wetland encroachment occurred.
- 2) Grade the island (earthen berm) to relatively uniform elevation approximately 6 feet high.

- 3) Divide the earthen berm into five separate islands by cutting circulation channels approximately every 300 feet, which will result in seven water passages through the archipelago (string of islands).
- 4) Grade the banks of the islands to a 4-to-1 slope (run to rise) to foster wetland plant zonation (see Figure 6).
- 5) Excavate a narrow feeder channel, 500 feet long and 1.5 feet deep by dragging a steel plow connected by cable to a winch temporarily mounted on the western end of the earthen berm.

The applicant completed interim corrective measures on April 18, 2001. These measures were aimed at restoring the functions and values of a wetlands impacted by the construction of this project. The restoration activity was consistent with proposed modification No. 1 listed above.

Location and details of the above described work are shown on the attached maps and drawings.

The complete application can be viewed at:  
<http://www.lrb.usace.army.mil/orgs/reg/upd200002170.htm>

**ANNOUNCEMENT OF PUBLIC HEARING CONCERNING THIS APPLICATION BY ROBERT W. BARNES FOR A DEPARTMENT OF THE ARMY PERMIT UNDER SECTION 404 OF THE CLEAN WATER ACT.**

Meeting To Be Held: Tuesday, June 12, 2001  
7:00 P.M.  
High School Auditorium  
Perkins Public Schools  
3714 South Campbell Street  
Sandusky, Ohio 44870

Notice is hereby given that the U.S. Army Corps of Engineers will hold a public hearing at the time and location given above. The purpose of the hearing is to obtain information and data relevant to the permit application by Robert W. Barnes detailed in this public notice.

The administrative record containing the permit application, supporting documentation, project drawings and details, comment letters and correspondence will be available for public inspection (during normal business hours) at the Huron Public Library, 333 Williams Street, Huron, Ohio 44839.

All statements, both oral and written, will become part of the administrative record on this proposal. Written statements will be accepted for insertion into the official record for a period of 10 days following the hearing.

Following the public hearing, the District Commander will review the administrative file and hearing transcript and decide whether to issue or deny a Department of the Army permit for the proposed project.

5-11-01

This hearing notice is being distributed to all known interested parties. Please bring this announcement to the attention of anyone you know who may be interested in this hearing.

Questions pertaining to the work described in this notice should be directed to Michael G. Montone, who can be contacted by calling (716) 879-4435, or by e-mail at: michael.g.montone@usace.army.mil

The applicant must certify that the proposed activity complies with Ohio's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with Ohio's Coastal Zone Management Program should be forwarded to:

Mr. Don Povolny  
Ohio Department of Natural Resources  
Division of Real Estate and Land Management  
Resource Management Section  
1952 Belcher Drive, Building C-4  
Columbus, Ohio 43224-1386  
Telephone (614) 265-6411  
FAX (614) 267-4764  
e-mail: don.povolny@dnr.state.oh.us

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates the work proposed may affect one species proposed or designated by the U.S. Department of the Interior as threatened or endangered, and it may affect the critical habitat of this species. The project area is directly adjacent to Sheldon Marsh. Sheldon Marsh is currently proposed as Critical Habitat for the Federal Endangered Piping plover.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Michael G. Montone, or by e-mail at: michael.g.montone@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

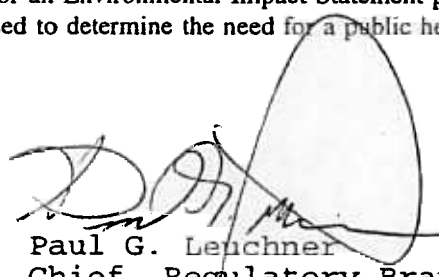
Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the

resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetic general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.



Paul G. Leuchner  
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

5-11-01



UNITED STATES  
DEPARTMENT OF THE INT.  
GEOLOGICAL SURVEY

HURON QUADRANGLE  
OHIO-ERIE CO.

7.5 MINUTE SERIES (TOPOGRA

SCALE 1:24000

1000 0 1000 2000 4000 5000 6000 7000 FEET

5

1 KILOMETER

CONTOUR INTERVAL 5 FEET

NATIONAL GEODETIC VERTICAL DATUM OF 1929

DEPTH CURVES AND SOUNDINGS IN FEET-DATUM IS LOW WATER 568.6 FEET

Existing Circulation Channels

N4122.5-W823C

1969

PHOTOREVISED  
AMS 4466 I NE-SERIE

PROJECT  
SITE

Golf Course

Sewage Disposal

Huron Airport

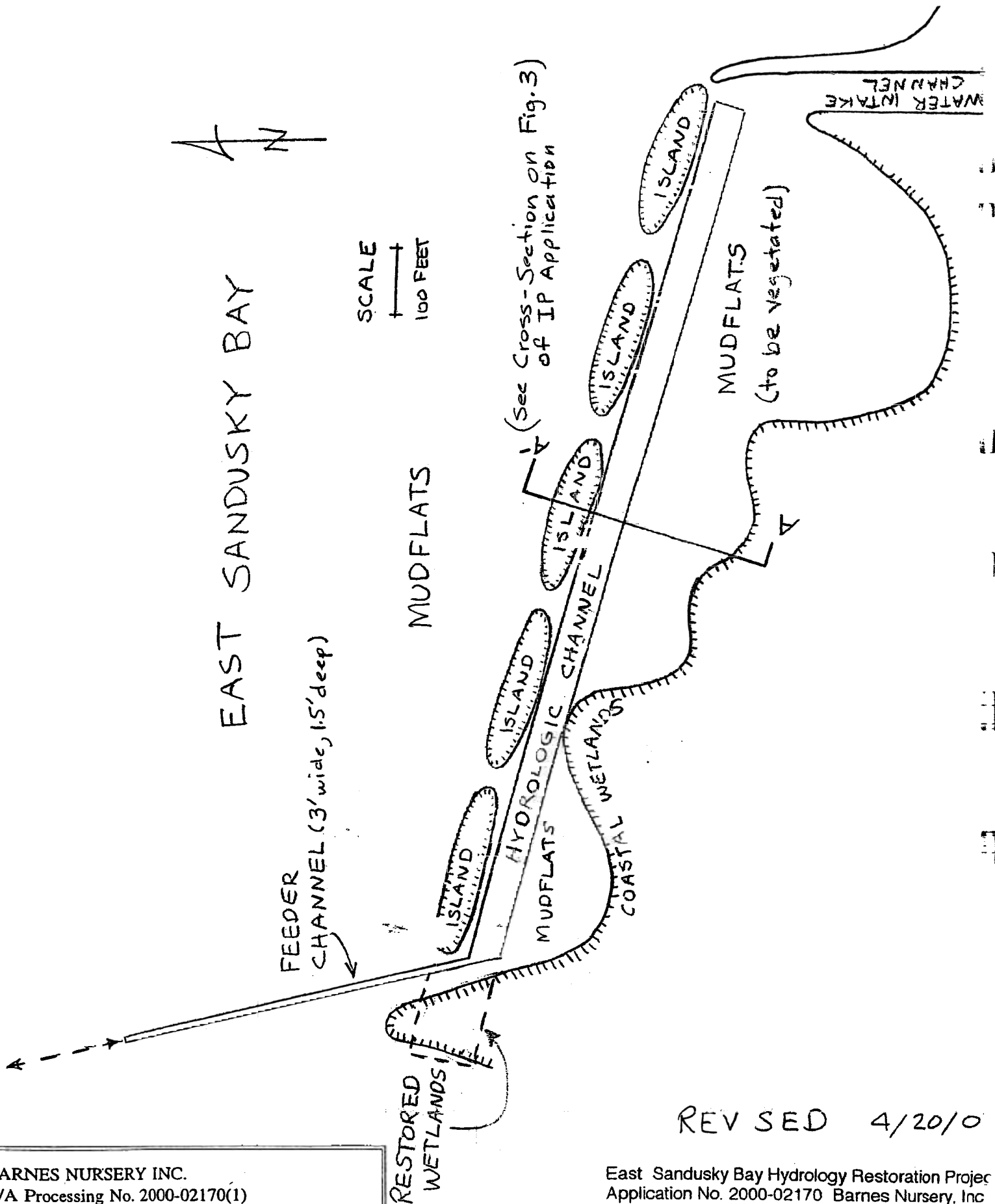
Bowling Green  
State University  
Fireland Campus

BARNES NURSERY INC.  
D/A Processing No. 2000-02170(1)  
Erie County, Ohio Quad: HURON  
Sheet 1 of 8

East Sandusky Bay Hydrology Restoration Project  
Application No. 2000-02170 Barnes Nursery, Inc.

Figure 1. Project Location Map

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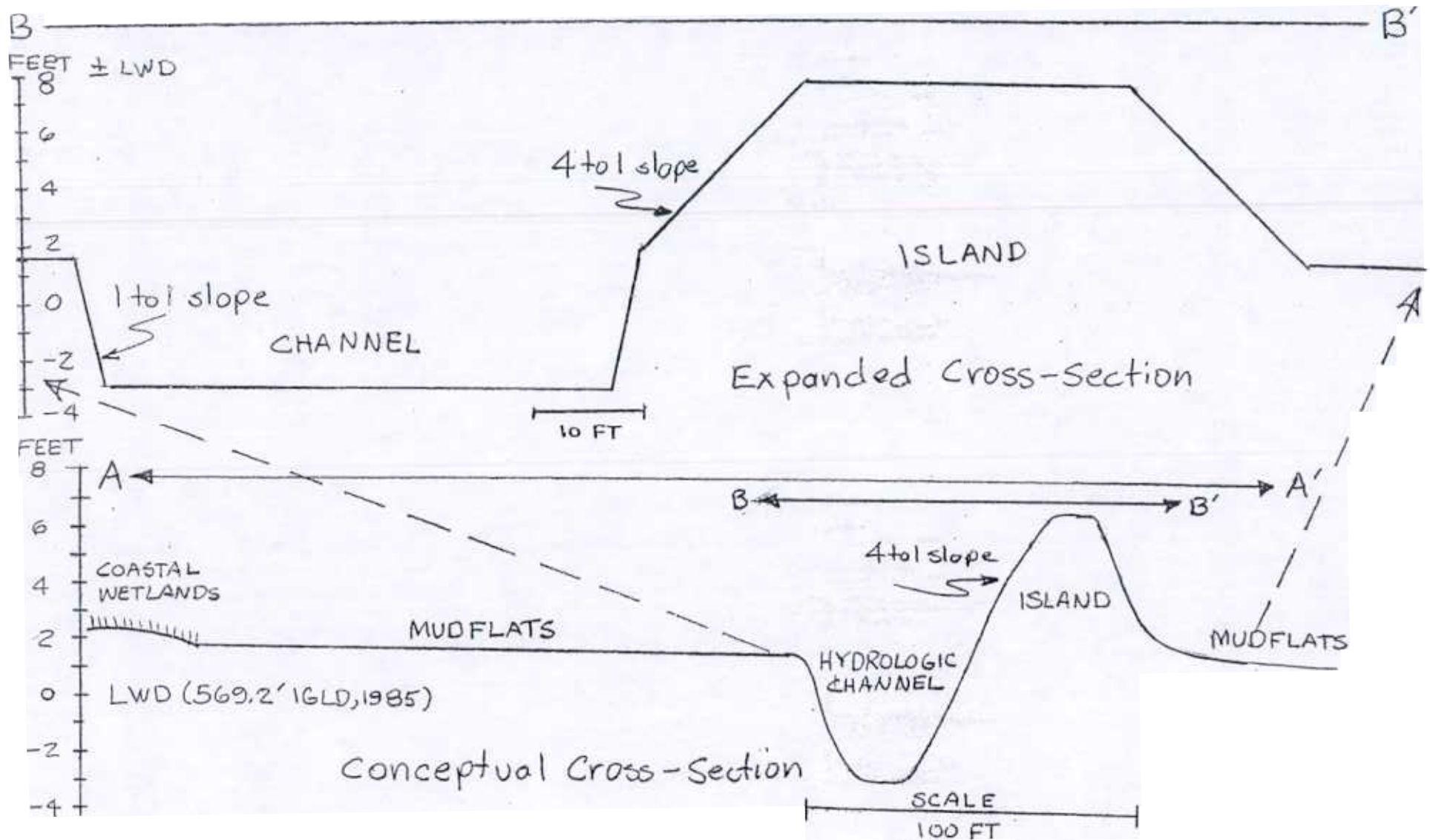


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East Sandusky Bay Hydrology Restoration Project  
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Figure 2. Planview of Project

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1640, 1995

580 Feet

575'

OHWM (+4.2' LWD)

PRE-EXISTING TOPOGRAPHY

570'

565'

RESTORATION AREA

LEVELLED ISLAND

FILLED CHANNEL

PRE-EXISTING TOPOGRAPHY

MUDFLATS

Water Level +2.1' LWD

SCALE

100 FEET

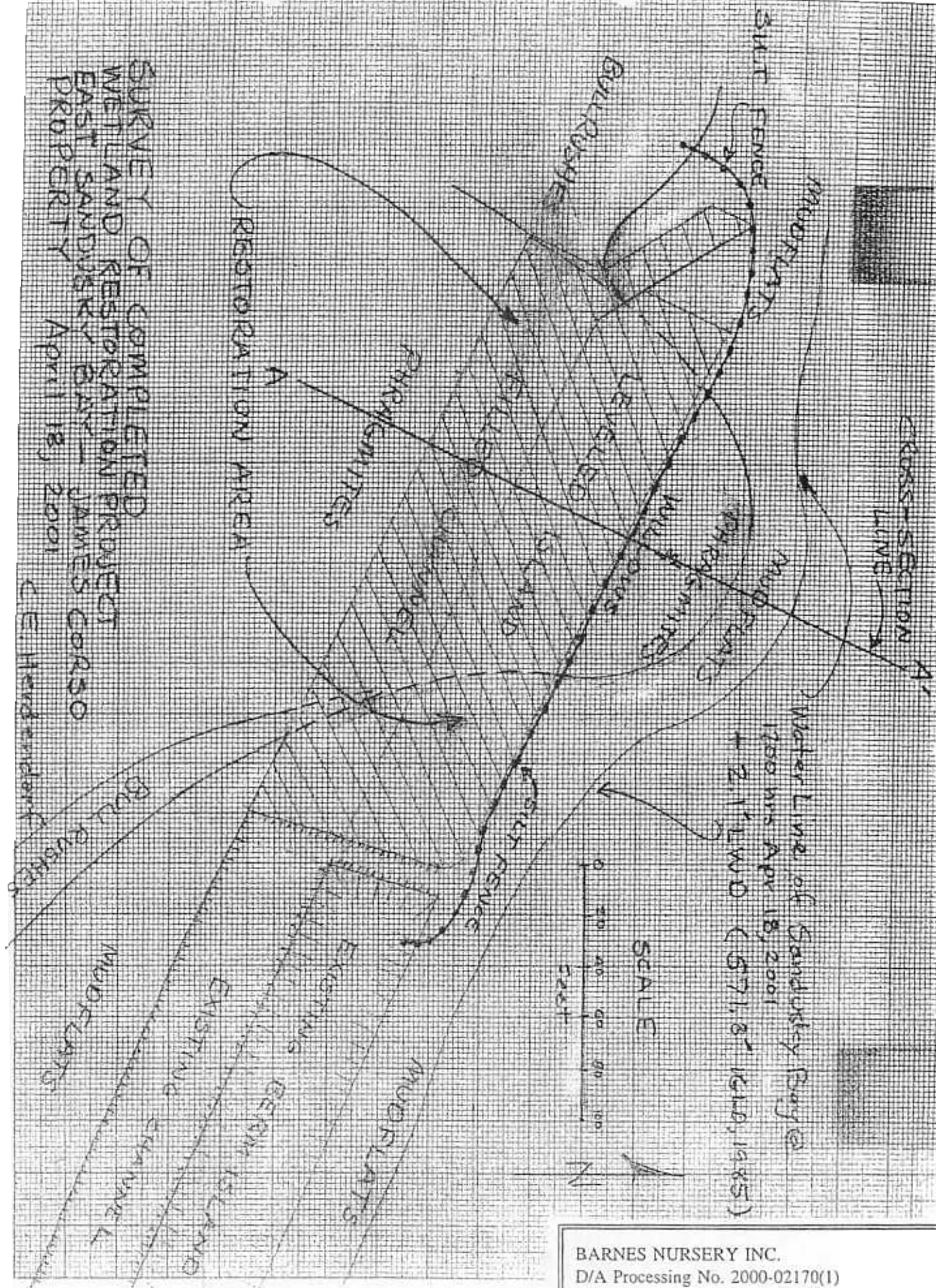
CROSS-SECTION OF COMPLETED  
WETLAND RESTORATION PROJECT  
EAST SANDUSKY BAY -  
JAMES CORSO PROPERTY  
April 18, 2001

CE Herdendorf

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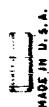


SURVEY OF COMPLETED  
WETLAND RESTORATION PROJECT  
EAST SANDUSKY BAY - JAMES CORSO  
PROPERTY April 18, 2001  
C.E. Henderson

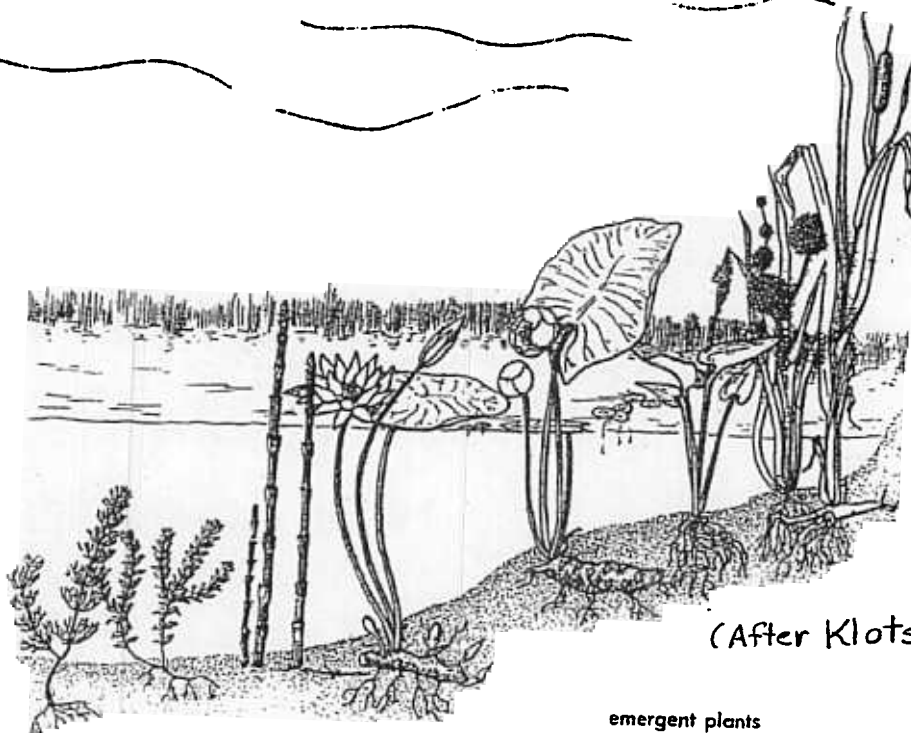


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(After Klots, 1966)

submersed plants

floating plants

emergent plants

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East Sandusky Bay Hydrology Restoration Project  
Application No. 2000-02170 Barnes Nursery, Inc.

Figure 6. Conceptual Drawing of  
Completed Project: Plant Zonation

5 - 11 - 01

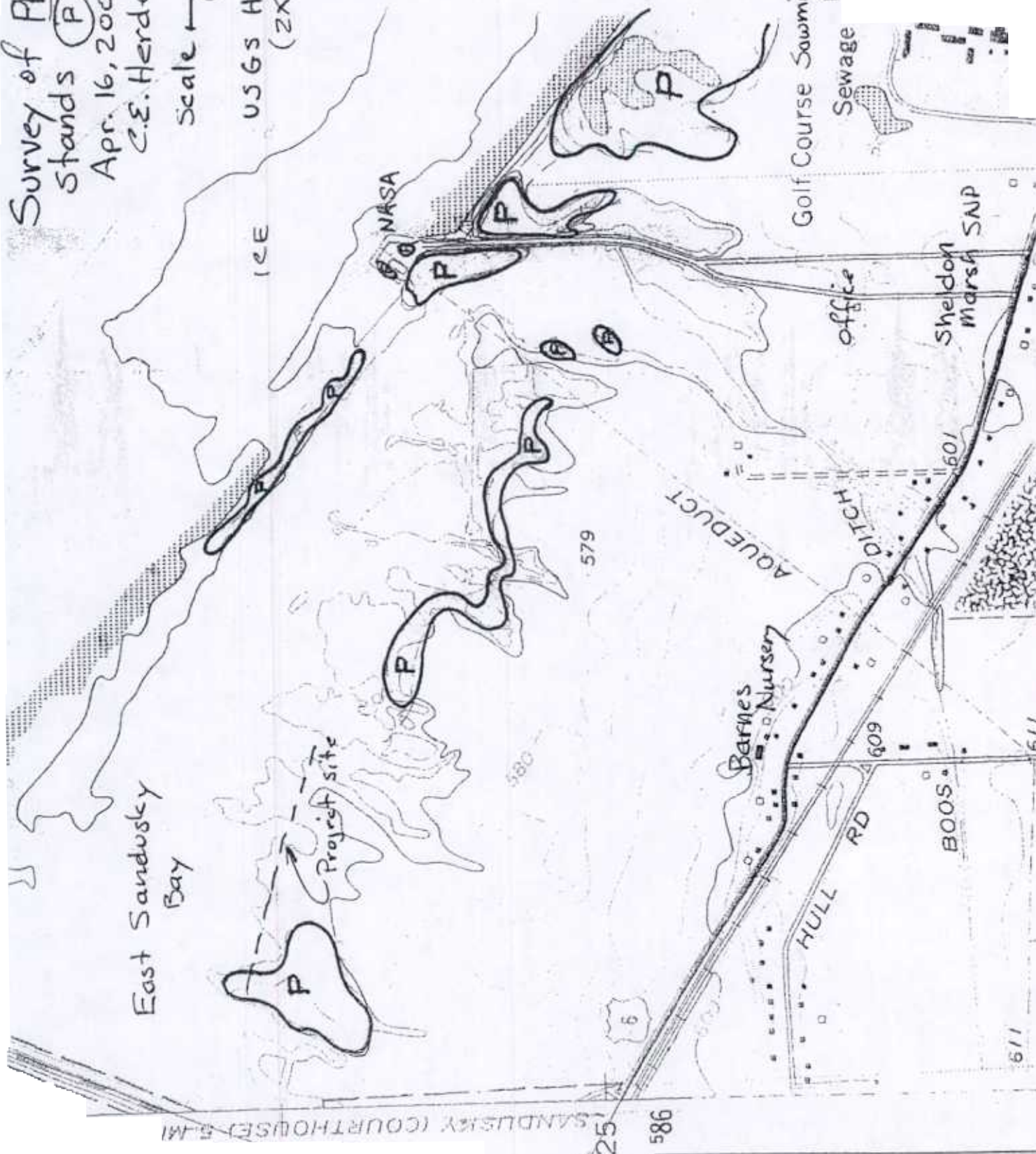
# Survey of Phragmites Stands (P)

Apr. 16, 2001

C.E. Herdendorf

Scale 1000 ft.

USGS Huron Quad  
(2X) 1979



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Map by Maps On Us (R)  
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Scale (mi/in): 0.40 Map-Clicking will: Show Long/Lat

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 333 Williams Street  
 Huron, Ohio 44839

419-433-5009

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